

QIN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE)	Chapter 7
)	
EUGENE NAKHSHIN,)	Case No. 21-01528
)	
Debtor.)	Hon. Deborah L. Thorne
)	Hearing Date and Time:
)	March 31, 2022, at 9:00 am

NOTICE OF MOTION

TO: See Attached Service List

PLEASE TAKE NOTICE THAT on March 31, 2022, at 9:00 a.m., I shall appear before the Honorable Deborah L. Thorne, or any other judge sitting in her stead and request a hearing on the Chapter 7 Trustee's Application to Employ Real Estate Broker, a copy of which is attached hereto and thereby served upon you.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <http://www.zoomgov.com/>. Then enter the meeting ID.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID.

Meeting ID and password. The meeting ID for this hearing is 160 9362 1728 – no password required. The meeting ID and further information can also be found on Judge Thorne's web page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, these motions will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the motions in advance without a hearing

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, hereby state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, I caused a copy of the foregoing **NOTICE OF MOTION** and **MOTION** to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same via facsimile transmission on 24th day of March, 2022.

/s/ Gregory K. Stern

Gregory K. Stern

Gregory K. Stern (Atty. ID #6183380)
Dennis E. Quaid (Atty. ID #02267012)
Monica C. O'Brien (Atty. ID # 6216626)
Rachel S. Sandler (Atty. ID #6310248)
53 West Jackson Boulevard
Suite 1442
Chicago, Illinois 60604
(312) 427-1558

SERVICE LIST

Registrants Served Through The Court's Electronic Notice For Registrants

Patrick S. Layng
Office of the U.S. Trustee, Region 11
219 South Dearborn Street, Room 873
Chicago, Illinois 60604

David R. Herzog
53 West Jackson Boulevard
Suite 1442
Chicago, Illinois 60604

David Freydin
8707 Skokie Boulevard
Suite 312
Skokie, Illinois 60077

Alon Stein
1445 Golf Road
Suite 202
DesPlaines, Illinois 60016

Served via U.S. Mail

Alfred O. Cohen
Jennings Realty Inc.
378 Park Avenue, Suite 1-A
Glencoe, Illinois 60022

Eugene Nakhshin
2604 North Winsdor Drive, Apt. 307
Arlington Heights, Illinois 60004

Irina Nakhshin
2604 North Winsdor Drive, Apt. 307
Arlington Heights, Illinois 60004

Occupants
2604 North Winsdor Drive, Apt. 307
Arlington Heights, Illinois 60004

Occupants
1608 Sycamore Place
Schaumburg, Illinois 60173

IN THE UNITED STATES BANKRUPTCY COURT
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APPLICATION TO EMPLOY REAL ESTATE BROKER TO SELL REAL PROPERTY

Now comes David R. Herzog, Chapter 7 Trustee (the "Trustee"), by and through his attorneys, Gregory K. Stern, Monica C. O'Brien, Dennis E. Quaid and Rachel S. Sandler, and in support of his Application to Employ Real Estate Broker to Sell Real Property, states as follows:

1. On February 4, 2021, Eugene Nakhshin (the "Debtor") caused a Voluntary Petition for relief under Chapter 7 of the United States Bankruptcy Code to be filed, and David R. Herzog (the "Trustee") was appointed as trustee in this Chapter 7 case.

2. The Trustee seeks to employ Alfred Cohen and Jennings Realty, Inc. as real estate brokers to market and sell residential real properties located at 2604 North Winsdor Drive, Apt. 307, Arlington Heights, Illinois and 1608 Sycamore Place, Schaumburg, Illinois (Collectively, the "Real Property") that upon information and belief are jointly owned with the Debtor's wife.

3. Pursuant to 11 U.S.C. § 327(a) the Trustee desires to Alfred Cohen and Jennings Realty, Inc. (the "Real Estate Broker") because they have experience in matters of this nature and are well qualified to represent the Trustee in this case.

4. The Trustee seeks authority pursuant to 11 U.S.C. § 327 to enter into Exclusive Right To Sell Agreement(s) and employ the Real Estate Broker to list and sell the Real Property.

5. The Trustee has chosen Alfred Cohen and Jennings Realty, Inc. because they have experience in matters of this nature and are well qualified to represent the Trustee in this case.

6. The Trustee has agreed to pay the Real Estate Broker a commission of six percent (6%) to be split with a cooperating broker in the event the Real Estate Broker is able to secure an offer to purchase that is accepted by the Trustee and fully consummated and closed.

7. To the best of the Trustee's knowledge the Real Estate Broker have no connection with the Debtor, his creditors, or any other party in interest herein, or their respective attorneys, the United States Trustee or any other person employed in the office of the United States Trustee. The Affidavit of Alfred Cohen attesting to the foregoing is attached hereto and made a part hereof.

8. The employment of the Real Estate Broker is in the best interest of this estate.

WHEREFORE, the Trustee, David R. Herzog, prays for an order as follows: **a)** Granting the Trustee's Application to Employ Real Estate Broker to Sell Real Property authorizing the employment of Alfred Cohen and Jennings Realty, Inc. as Real Estate Broker for the Trustee; **b)** Authorizing the Trustee to enter into Exclusive Right To Sell Agreement(s) employing the Real Estate Broker to list and sell 2604 North Winsdor Drive, Apt. 307, Arlington Heights, Illinois and 1608 Sycamore Place, Schaumburg, Illinois with all commissions to be paid only if a sale of the Real Property is closed; and, **c)** For such other further relief as this Court deems just.

/s/ Gregory K. Stern
Attorney For Chapter 7 Trustee

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID #6216626)
Dennis E. Quaid (Atty. ID #02267012)
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